HON'BLE SRI JUSTICE P.S. NARAYANA

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W.P.No.15940 of 2006

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Dated 31st JULY 2006

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Between:
Smt. T. Hymavathi W/o Vasudeva Reddy
22 years R/o Sreeramulupet
Dalavaipalle Post, Pulampet Mandal
Kadapa District & 2 others

… Petitioners

And:
The A.P. State Election Commission,
Buddha Bhavan, Secunderabad, rep.by its
Commissioner & 6 others

… Respondents

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ORDER:

Heard the counsel.

2. This writ petition is filed to issue an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in declaring the 5th respondent as Sarpanch and respondents 7 & 8 are ward members unanimously, without conducting the elections to the post of Sarpanch, 8th and 9th wards of Dalvaipalle Grampanchayat, Pullampet Mandal, Kadapa District, as illegal, arbitrary, high handed, un-Constitutional, violate of Article 14 of the Constitution of India and contrary to the provisions of A.P. Panchayat Raj Act as well as rules made there under and consequently direct the respondent authorities to conduct the elections to the post of Sarpanch and 8th and 9th wards of Dalavaipalle village-Grampanchayat, Pullampet Mandal, Kadapa district and pass such other suitable orders.

3. The main ground of attack is the signatures of the petitioners had been forged. It is needless to say that this is a question of fact. Even otherwise at this stage, the writ court cannot interfere, especially, in view of the fact that the petitioners are having a remedy by way of

election petition.

4. Liberty is given to the petitioners to approach the Election Tribunal, if they are so advised. With the above direction, the writ petition is disposed of. No order as to costs.

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P.S. NARAYANA, J

Dated: 31st JULY 2006

BSS/MDAA